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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/852,281

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EXAMINER

VO, TED T

ART UNIT

PAPER NUMBER

2122

DATE MAILED: 02/23/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/852,281

Applicant(s)

BANAVAR ET AL.

Examiner

Ted T. Vo.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. This action is in response to the application filed on 12/11/2003.

Claims 5 and claim 23 are amended.

Claims 1-24 are pending in the application.

***Response to Arguments***

2. Applicants' arguments have been considered. However, the arguments are not persuasive.

a. With regard to Applicants' assertion, "Applicants intentionally decline to modify claim wording to precisely match the corresponding wording in the specification and point out that no such requirement exists", the rejection based on 35 USC 112, second paragraph is withdrawn.

- b. With regard to Applicants' argument to the rejection based on 35 USC 102:

Applicants arguments are addressed to claims 1 and 2 only, while Applicants are silent on other independent Claims such as independent Claims 3, 5, 22, and 23.

- As regarding claim 1, Applicants contend that:

Eisenstein fails to teach providing a simultaneous display for a plurality of target devices (Re: Remarks: Page 11, last two lines),

Eisenstein fails to teach a styling representation (Re: Remarks: Page 12, line 11), and

Eisenstein fails to teach a method for emulating on a single display platform an application's user interface as it would appear on each of a number target devices (Re: Remarks: Page 12, lines 15-17)

Examiner respectfully disagrees:

First of all, "a method for emulating on a single display platform an application's user interface as it would appear on each of a number target devices" is in the claim preamble. The preamble is only to state a purpose or intended use for the invention.

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The applicants' argument, "Eisenstein fails to teach providing a simultaneous display for a plurality of target devices", fails to include to all independent Claims. For example, Claims 3, 5, 22, and 23 do not recite the limitation *providing a simultaneous display*.

With regard to argument: "styling representation" (or claim limitation is "providing a style rendering). Applicants broaden this limitation. As a result, it can be read by any browser's display. For example, Figure 6, page 74 and Figure 7, page 74, show style rendering. Moreover, see page 71, left column, line 2, 'stylistic choice' is the discussion of Eisenstein about styling representation.

With regard to argument as addressed by applicants to claim 1: "Eisenstein fails to teach providing a simultaneous display for a plurality of target devices", where Applicants contend that Figure 2 represents only the concept of mapping and it does not relate in any way to a simultaneous viewing of the three target devices (Re: Remarks: Page 12, first full paragraph):

Examiner would direct Applicant to their limitation:

*"Combining a selected one or more of said device characteristics and a selected one of said application formal descriptions; and*

*providing a simultaneous and consistent display representation for said selected application, thereby providing a stylized rendering of said selected application's interface in a uniform appearance and in which said selected application's interface for a plurality of said target devices can selectively be viewed simultaneously.*

The claim limitation is read as one selection at a time, and providing a simultaneous and consistent display representation for said selected application (one) at a time. Argument, "a simultaneous viewing of the tree target devices" as asserted by applicants does not read what it is recited in the limitation of claim 1. While the claim broadens and extends the scope, as recited above and in other independent claims provided with recitation "*providing a simultaneous display*", the limitations of the claim are read by certain features of the prior art. Figure 2 and Figure 3, reads the claim limitations. Moreover, Eisenstein's Figure 7, page 74, shows a selection in a Mobil phone's with up/down switches and browser options.

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- As regarding Claim 2, Applicants contend that the term "specific task" is used in Eisentein describes different role.

Examiner respectfully responds: Claim 2 is further limitation of limitation "display representation" (Claim 2 recites: "wherein said display representation is synchronized, thereby providing a simultaneous update to all of said selected target device representation..."). While Applicants broaden the claim, the interpretation of "synchronized" is read to the specification's definition. The specification defines that "synchronized" means any change to the device-independent specification will reflect in all views simultaneously. In this definition, the "specific task" meets the limitation because it provides tailoring the model representation accordingly. Moreover, Eisentein discloses, "display representation is synchronized", in many features. For example, the Mediator as shown in Figure 3 can be used to determine the screen resolution (See page 72, right column, first paragraph). Thus, if there is any change, it will adjust the display of the representation model in accordance to a screen resolution. The specific task (Figure 5) and the Mediator (Figure 3) will tailor the model representation accordingly.

Since Applicants' arguments based on "*providing a simultaneous*" to Claims 1 are not persuasive, the rejection under 35 USC 102(a) to Claim 1, so do Independent Claims 15, 17, 19, 21, 24 and their dependent claims, is maintained.

It is noted that Independent Claims 3, 5, 22, and 23 do not recite *providing a simultaneous* as Applicants argued. The rejection of Claims 3, 5, 22, and 23 and their dependents Claims based on 35 USC 102(a) thus is held because of no applicants' response.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1-11, 15-24 are rejected under 35 U.S.C. 102(a) as being anticipated by Eisenstein et al., "Applying Model-Based Techniques to the Development of UIs for Mobile Computers", ACM, Jan. 2001.

Given the broadest reasonable interpretation of followed claims in light of the specification.

As per Claim 1:

Eisenstein teaches, *"A method for emulating on a single display platform an application's user interface as it would appear on each of a number of target devices, given a set of device characteristics for any device to be emulated, said method comprising:*

*Combining (see figure 3, Mediator) a selected one or more of said device characteristics (figure 3, Platform model) and a selected one of said application formal descriptions (Figure 3, Presentation model A, B, or C); and*

*providing a simultaneous and consistent display representation for said selected application (in light of the applicant's specification (in the spec: page 3), Figure 2, page 71, or Figure 3, page 72 has means for providing simultaneous and consistent display representation), thereby providing a stylized rendering of said selected application's interface (see page 71, first column, lines 1-3, 'stylistic choices'; see second column, second paragraph for limitation 'selected application's interface') in a uniform appearance and in which said selected application's interface for a plurality of said target devices can selectively be viewed simultaneously "* (see Figure 5, and Figure 5).

As per Claim 2: In light of the specification for discussing "synchronized" (sec: p.3, l.16-17), Eisenstein discusses a mediator (See page 72, right column, first paragraph) that is used to determine and calculate resolution of a screen, and the platform lends itself to specific tasks (see page 71, right column, fourth paragraph) in a task model so that it can tailor its representation accordingly; thus discloses "displaying representation is synchronized".

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As per Claims 15, 17, 19, 21, 24: The claimed functionality corresponds to the functionality of claim 1; therefore the claims are rejected in the same reason as set forth in connecting to the rejection of claim 1.

As per Claims 16, 18, 20: The claimed functionality corresponds to the functionality of Claim 2; therefore the claims are rejected in the same reason as set forth in connecting to the rejection of Claim 2.

As per Claim 5:

Eisenstein teaches, *"retrieving from said memory a device-independent specification information for a user interface for a selected application (see figure 3, the Mediator selects a platform model); retrieving from said memory a device-independent information for said selected application for a selected one or more of said target devices (see figure 3, the Mediator selects a presentation model); combining (see figure 3, Mediator's mapping) said device-independent specification information (figure 3, Platform model) and said device-independent information into a single format (see page 75, second column, lines 7-10, Eisenstein's discussion of presentation abstractions expressed in neutral format) for stylized representation on a display device (see page 71, second column, second paragraph);*

As per Claim 6: Eisenstein teaches, *"forming said display device presentation such that said stylized representation of said plurality of target device can selectively be viewed on said display device individually or in a simultaneous view involving more than one said target device stylized representation (see figure 7)".*

As per Claim 7: In light of the specification for discussing "synchronized" (sec: p.3, l.16-17), Eisenstein discusses a platform lends itself to specific tasks (see page 71, first column, fourth paragraph) in a task model so that it can tailor its representation accordingly; thus displaying representation is synchronized.

As per Claim 8: Each Representation Model in figure 3 has means for representing an abstract representation of a single format in a target device.

As per Claim 9: Eisenstein includes widgets of sliders, list boxes (see page 71, first column, lines 1-3).

As per Claim 10: Figure 6 shows text fields in a UI format, each describes a content of a user interface entity.

As per Claim 11: Figure 7 shows a plurality of views.

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As per Claim 3: Claim 3 is a method that the claimed functionality corresponds to the functionality of Claim 5; therefore, the claim is rejected in the same reason as set forth in connecting to the rejection of Claim 5.

As per Claim 4: In further view of Claim 3, Eisenstein teaches, *"selecting certain of said plurality of target device to emulate; (see figure 2), providing a simultaneous and consistent display representation for said selected application (in light of the applicant's specification (spec: page 3), figure 2, page 71, represents an object mapping that provides simultaneous and consistent display representation), thereby providing a stylized rendering of said selected application's interface in a uniform appearance and in which the application's interface for said selected plurality of said target devices can selectively be viewed simultaneously (see page 71, second column, second paragraph)"*.

As per Claims 22 and 23: The claimed functionality corresponds to the functionality of Claim 5; therefore the claims are rejected in the same reason as set forth in connecting to the rejection of Claim 5.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A person shall be entitled to a patent unless –

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eisenstein et al., "Applying Model-Based Techniques to the Development of UIs for Mobile Computers", ACM, Jan. 2001.

As per claims 12-13:



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Claims 12-13 recite a simultaneous view of formats, tiled layout, cascade layout and one-at-a-time layout having operator selection to select a view,

Eisenstein, does not address all three different layouts of a UI, Eisenstein, particularly discusses a generic layout of a mobile UI as shown in figure 6, and figure 7. Eisenstein suggests a UI view that uses ActiveX in a desktop PC (figure 2).

Official notice is taken that the three different layouts viewed in a single mode or in combination of a UI is well known in the art at the time of the application. It can be seen in Microsoft window alone, or in Microsoft IE browser displayed under the combined support of XML, HTML, ActiveX controls and Java scripts. The three layouts are inherent in display implementations that are friendly to users.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention was made to include multiple views as addressed in the claims, for taking advantage of user-friendly view seen commonly in Microsoft windows, Microsoft IE's, Netscape Navigators.

As per claim 14: Claim 14 recites functionality of simultaneous view of formats, tiled layout, cascade layout and one-at-a-time layout having operator selection to select a view. Claim 14 depends on claim 6 which is further limitation of claim 5. Claims 12-13 depend on claim 11 which is further limitation of claim 5. The further limitation of claim 14 has the functionality corresponding to the functionality of claims 12-13. Therefore claim 14 is rejected in the same reason set forth in connecting to the rejection of claims 12-13.

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ted T. Vo whose telephone number is (703) 308-9049. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM ET. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam, can be reached on (703) 305-4552.

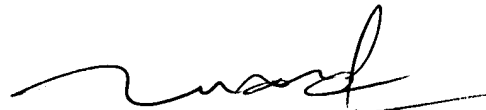
The fax phone numbers:

(703) 872-9306 (for formal communication intended for entry);

(703) 746-5429 (for informal or draft communication, please label "PROPOSED" or "DRAFT").

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

TTV  
February 17, 2004



**TUAN DAM**  
**SUPERVISORY PATENT EXAMINER**